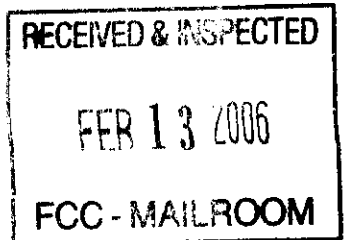


CGB CC-0429

Office of the Secretary  
Federal Communications Commission  
Attention: CGB Room 3-B431  
445 12<sup>th</sup> Street SW  
Washington, DC 20554



## **Petition for Exemption from Closed Captioning Requirements**

### **Introduction**

Parkway Mitsubishi, located in LaGrange, GA is a single line new (Mitsubishi) and used auto dealership. It is our intention to produce and air half hour television programs to feature, primarily, used automobiles for sale to the public.

These programs are to air at various times and at varying rates as available on local television stations located in Columbus, GA.

Program segments featuring individual autos are not scripted as is a local newscast. Each episode will require post-production encoding. This process will add significant production time and expense to each episode.

For the reasons set forth below, Parkway Mitsubishi of LaGrange Georgia hereby requests an undue burden exemption from the closed captioning rules pursuant to 79.1(f) of the Commission's rules.

### **Nature and Cost of Closed Captions**

We have endeavored to locate a closed captioning service that is both professional and reasonably priced. As we have found no satisfactory local option, and as no local station has agreed to absorb the cost of captioning on our behalf, we have determined that the service provided by Raycom Post Production represents a fair and accurate estimate of closed captioning costs, (\$337.00 per half hour program not including shipping charges).

### **Impact on the Operation of the Program Provider**

Thus far, Parkway Mitsubishi has priced and contracted half hour program positions at \$300 and \$375 on WRBL-TV and WTVM-TV, both of Columbus, GA.

Production costs of the program, not including the cost of closed captioning are estimated at \$350 per episode. The cost of closed captioning each episode would add approximately 50% above the cost of the air time and the local production charge.

This increased cost may make a reasonable return on this production investment difficult, or impossible to achieve, thus forcing us to discontinue production.

However, our request for exemption rests primarily on "significant difficulty" rather than on "significant expense". The nature of our program requires that we air programs in a timely fashion.

We are offering significant discounts and buyer incentives on, primarily, specific used automobiles. Although each program will carry a disclaimer stating that we can not guaranty that a specific auto will be available indefinitely, the viewer has a right to expect a fair degree of availability of featured autos. While we can produce and post-produce a half hour program within the space of a week for a weekend airing, the significant difficulty of shipping, closed captioning and returning a finished program virtually eliminates the likelihood of airing our program in that time frame, thus assuring the uselessness of this program content to the viewer.

### **Financial Resources of the Program Provider**

Parkway Mitsubishi is a for-profit corporation. Revenues are derived from the sale of new and used automobiles. The cost of closed captioning our program, while within our means, greatly decreases the likelihood that such programming would be considered an acceptable expense.

### **Type of Operations of the Program Provider**

Parkway Mitsubishi is a new and used automobile dealership.

### **Available Alternatives**

It is our belief that the core content of our programming should be considered primarily textual. The vital details of each offer are to be carried in on-screen text thus insuring that all pertinent information is readily apparent to all viewers. This textual information will include the make, model, price and any other significant information bearing on the features of the auto on full visual display. Parkway Mitsubishi feels that any lack of closed captioning in this context is de minimis and reasonable under the circumstances.

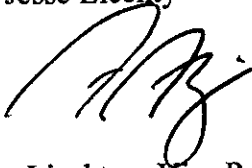
### **Other Factors**

In addition to exemption as Primarily Textual Programming, Parkway Mitsubishi submits that the program in question be considered exempt as Locally Produced and Distributed Non-News Programming With No Repeat Value.

## Conclusion

As described by this petition, the Commission Should grant a waiver of the closed captioning requirement in this case, because requiring closed captioning would create an undue burden, particularly, a significant difficulty in timely production for the benefit of the viewer.

Respectfully submitted,  
Parkway Mitsubishi  
By: Jesse Liechty

A handwritten signature in black ink, appearing to read 'JL', is written over the printed name 'Jesse Liechty'.

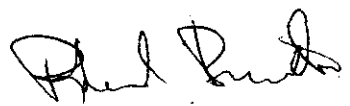
Jesse Liechty – Vice President  
Parkway Mitsubishi  
1327 LaFayette Parkway  
LaGrange, Georgia 30241  
Phone: 706-882-2990  
Fax: 706-845-8511  
02/01/06

### Declaration

I, Jesse Liechty, Vice President of Parkway Mitsubishi, have reviewed the petition for Exemption for Closed Captioning Requirements filed on behalf of Parkway Mitsubishi in this matter, and, upon information and belief, believe the statements regarding Parkway Mitsubishi and our programming efforts to be true and accurate.



Jesse Liechty – Vice President  
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LaGrange, Georgia 30241  
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## **Closed Captioning Services - 2006**

Your internal post production facility, Raycom Post, can help your station with all of your closed captioning needs. The below pricing is based on a 30 minute post produced program. Pricing for additional run times and tape formats are available. Real time (live) closed captioning services can be quoted as well and will be based on program length and periods covered. Please contact us for those rates.

- **Offline Captioning:** Transcribing of the actual verbatim program content in preparation for closed captioning encoding (shown below). Price includes (1) VHS work tape which is required for transcribing: **\$272.00**
- **Closed Captioning Encoding:** Making use of the verbatim transcription file prepared above, this fee is for the actual CC encoding on line 21 of your master and will be in addition to the basic duplication rates. **\$30.00**
- **Duplication to Betacam SP or DVC Pro: \$35.00**
- **Duplication to Digital Betacam: \$60.00**
- **Live Real Time Captioning:** \*Please call for these rates. Pricing is based on the volume of live programming captioned.
- **Video Descriptive Services:** (aural description of screen content for the visually impaired): Call for rates.
- **Spanish and Multilingual captioning:** Call for rates.

Example: To create a 30 minute offline closed captioned DVC Pro master, it would cost **\$337.00**.

**Raycom Post Production - 4450 Lakeside Dr. # 300 - Burbank, CA 91505**  
**818-846-0101 - 818-846-0277 - [www.raycompost.com](http://www.raycompost.com)**